IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1629 OF 2005

Bibhishan Chandrasen Shingate ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.S.D.Thokade for Applicant.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 14, 2005.

P.C.

1. Heard Counsel for the parties.

2. The Applicant was the driver of the concerned truck and allegedly lodged false complaint to divert the investigation towards wrong track. However, as now investigation in respect of the present offence is complete and charge-sheet has been filed, coupled with the fact that the Applicant is wiling to abide by any strict

condition to be imposed by this Court and that, there is no possibility of early trial and the maximum sentence is only seven years, this Application is allowed on the following conditions:

(a) The Applicant is directed to be enlarged on bail in connection with C.R.No.117 of 2004 registered with Sangola Police Station, Solapur, on executing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two local sureties in the like amount.

. The requirement of furnishing local sureties cannot be dispensed with in the present case, because the prosecution apprehends that if the Applicant is enlarged on bail, he may not be available for trial, as he has no permanent residence within the jurisdiction of the concerned Police Station.

(b) The Applicant shall report at Karad Police Station, where he is presently residing, once in a fortnight on Saturday between 10.00 a.m. and 2.00 p.m.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

3. Application disposed of on the above terms.

A.M.KHANWILKAR, J.